REMARKS/ARGUMENTS

Applicants would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office Action, and the following remarks are presented for the Examiner's consideration.

Claim 1 stands provisionally rejected on the ground of non-statutory obviousness-type double patenting over claims 1 and 6 of co-pending Application No. 09/622,656. Since the rejection is provisional, Applicants elect to defer responding to the rejection until such time that a response becomes necessary, *i.e.,* when no other rejection remains.

Claim 1 further stands rejected under 35 U.S.C. 103(a) over U.S. Patent No. 6,314,454 to Wang et al. (hereinafter "Wang") in view of U.S. Patent No. 6,175,858 to Bulfer et al. (hereinafter "Bulfer"). For the following reasons, the rejection is again respectfully traversed and reconsideration of the claim is respectfully requested.

Regarding claim 1, the Examiner acknowledges that Wang does not teach receiving an incoming call including a signal indicating accumulating of delivery message, and therefore cites Bulfer for teaching these limitations. Applicants have previously submitted arguments distinguishing claim 1 from the cited art. For the sake of brevity, these arguments will not be repeated. For at least the following additional reasons, Applicants submit that every limitation of claim 1is not taught or suggest by Wang in view of Bulfer.

Claim 1 requires, in part, that "A client system acquires a delivery message from a server unit *by* requesting to transmit the delivery message stored in server unit *when the client system receives an incoming call including a signal indicating accumulation of delivery message…in the server unit.*" Due to the use of the transitional words "by" and "when" in the above-cited passage, claim 1 recites a specific interaction between the claimed operations or steps. First,

claim 1 requires that the client system acquires a delivery message _by_ requesting to transmit the delivery message. Second, this requesting to transmit is performed _when_ the client system receives the incoming call including the signal. Therefore, even if, for the sake of argument, all three of these operations or steps _(i.e.,_ "acquires a delivery message" "requesting to transmit the delivery message" and "receives an incoming call") are considered to be taught or suggest by a combination of Wang and Bulfer, the limitations "by" _and_ "when" are not taught or suggested as claimed.

In other words, it is not sufficient to maintain the rejection for the prior art to teach requesting and acquiring a delivery message without a specific teaching or suggestion that these operations should be performed _when_ an incoming call is received that includes the claimed signal. Nothing in Wang and/or Bulfer, or the other prior art of record teaches or suggests all of the limitations of claim 1, including the "when" limitation, as required. Therefore, for at least the above reasons, Applicants respectfully request reconsideration of the claim and withdrawal of the rejection.

In light of the foregoing, it is respectfully submitted that the present application is in condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 32911US1.

Respectfully submitted,

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